

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Ruben, et al.

Application No.: 09/690,454

Group Art Unit: 1653

Filed: October 18, 2000

Examiner: K. C. Carlson

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For: **Secreted Protein HEMCM42**  
(as amended)

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

(underline = text inserted, strike through = text deleted)

**In the Claims:**

**Claims 37, 42, 47, 52, 57, 58, 62, 63, 67, 68, 72 and 73 have been amended as follows:**

37. (Twice Amended) An isolated first polypeptide at least 90% identical to a second polypeptide consisting of amino acid residues 30 to 113 of SEQ ID NO:59, wherein said first polypeptide ~~is capable of being used to generate or select an antibody that specifically binds the second polypeptide~~ promotes vascularization.

42. (Twice Amended) An isolated first polypeptide at least 90% identical to a second polypeptide consisting of the secreted portion of the polypeptide encoded by the HEMCM42 cDNA contained in ATCC Deposit No. 209075, wherein said first polypeptide ~~is capable of being used to generate or select an antibody that specifically binds the second polypeptide~~ promotes vascularization.

47. (Twice Amended) An isolated first polypeptide at least 90% identical to a second polypeptide consisting of amino acid residues 1 to 113 of SEQ ID NO:59, wherein said first polypeptide ~~is capable of being used to generate or select an antibody that specifically binds the second polypeptide~~ promotes vascularization.

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52. (Twice Amended) An isolated first polypeptide at least 90% identical to a second polypeptide consisting of the complete polypeptide encoded by the HEMCM42 cDNA contained in ATCC Deposit No. 209075, wherein said first polypeptide ~~is capable of being used to generate or select an antibody that specifically binds the second polypeptide~~ promotes vascularization.

57. (Twice Amended) An isolated protein consisting of at least 30 contiguous amino acid residues of amino acid residues 30 to 113 of SEQ ID NO:59, wherein said protein ~~is capable of being used to generate or select an antibody that specifically binds a protein comprised of amino acid residues 30 to 113 of SEQ ID NO:59~~ promotes vascularization.

58. (Twice Amended) The isolated protein of claim 57 which consists of at least 50 contiguous amino acid residues of amino acid residues 30 to 113 of SEQ ID NO:59, wherein said protein ~~is capable of being used to generate or select an antibody that specifically binds a protein comprised of amino acid residues 30 to 113 of SEQ ID NO:59~~ promotes vascularization.

62. (Twice Amended) An isolated protein consisting of at least 30 contiguous amino acid residues of the secreted portion of the polypeptide encoded by the HEMCM42 cDNA contained in ATCC Deposit No. 209075, wherein said protein ~~is capable of being used to generate or select an antibody that specifically binds a protein comprised of the secreted portion of the polypeptide encoded by the HEMCM42 cDNA contained in ATCC Deposit No. 209075~~ promotes vascularization.

63. (Twice Amended) The isolated protein of claim 62 which consists of at least 50 contiguous amino acid residues of the secreted portion of the polypeptide encoded by the HEMCM42 cDNA contained in ATCC Deposit No. 209075, wherein said protein ~~is capable of being used to generate or select an antibody that specifically binds a protein comprised of the secreted portion of the polypeptide encoded by the HEMCM42 cDNA contained in ATCC Deposit No. 209075~~ promotes vascularization.

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67. (Twice Amended) An isolated protein consisting of at least 30 contiguous amino acid residues of amino acid residues 1 to 113 of SEQ ID NO:59, wherein said protein is capable of being used to generate or select an antibody that specifically binds a protein comprised of amino acid residues 1 to 113 of SEQ ID NO:59 promotes vascularization.

68. (Twice Amended) The isolated protein of claim 67 which consists of at least 50 contiguous amino acid residues of amino acid residues 1 to 113 of SEQ ID NO:59, wherein said protein is capable of being used to generate or select an antibody that specifically binds a protein comprised of amino acid residues 1 to 113 of SEQ ID NO:59 promotes vascularization.

72. (Twice Amended) An isolated protein consisting of at least 30 contiguous amino acid residues of the complete polypeptide encoded by the HEMCM42 cDNA contained in ATCC Deposit No. 209075, wherein said protein is capable of being used to generate or select an antibody that specifically binds a protein comprised of the complete polypeptide encoded by the HEMCM42 cDNA contained in ATCC Deposit No. 209075 promotes vascularization.

73. (Twice Amended) The isolated protein of claim 72 which consists of at least 50 contiguous amino acid residues of the complete polypeptide encoded by the HEMCM42 cDNA contained in ATCC Deposit No. 209075, wherein said protein is capable of being used to generate or select an antibody that specifically binds a protein comprised of the complete polypeptide encoded by the HEMCM42 cDNA contained in ATCC Deposit No. 209075 promotes vascularization.

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